

## **SCHOOL DISTRICT LEGAL STATUS**

Massachusetts has the oldest public school system in the nation dating back to 1647, the laws of the Massachusetts Bay Colony required towns to provide for a program of public education.

The Massachusetts Constitution of 1780, in a statement of principle dealing with schools, reads as follows:

"Wisdom, and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the University at Cambridge, public schools and grammar schools in the towns....

The legislature has extended authority for conducting public schools to the respective towns and school districts, requiring that "every town shall maintain, a sufficient number of schools for the instruction of all children who may legally attend a public school therein."

The public education system of Arlington structurally is a department of the town operated under laws pertaining to education and under regulations of the Massachusetts Board of Education. The area served by the Arlington Public Schools is contiguous with the Town of Arlington.

LEGAL REFS:            Constitution of Massachusetts, Part II, Chapter V, Section II  
                              M.G.L. 71:1

CROSS REF.:            BB, School Committee Legal Status

SOURCE:    Arlington

## **THE PEOPLE AND THEIR SCHOOL DISTRICT**

The Arlington School Committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess citizens' desires. When citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Arlington School Committee therefore affirms and declares its intent to:

1. Maintain two-way communications with citizens of the community. The public will be kept informed of the progress of the school system and the issues it faces, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
2. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this committee will be made with priority given to the purposes set forth, most crucial of which is the optimal learning of the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education. The committee recognizes that ultimate responsibility for public education rests with the state, but individual School Committees have been assigned specific authority through state law. The committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

SOURCE: MASC/Arlington

## NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related condition. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related condition their complaint should be registered with the Title IX compliance officer.

SOURCE: MASC

LEGAL REFS.: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment  
Opportunity Act of 1972  
Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended by the Education Amendments of 1972  
Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973  
Education for All Handicapped Children Act of 1975  
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
M.G.L. 76:5; Amended 2011  
M.G.L.76:16  
BESE regulations 603CMR 26.00 Amended 2012  
BESE regulations 603CMR 28.00

CROSS REFS.: ACA- ACE, Subcategories for Nondiscrimination  
GBA, Equal Employment Opportunity  
JB, Equal Educational Opportunities

UPDATED: June 2012

## **NONDISCRIMINATION ON THE BASIS OF SEX**

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Committee will designate an individual to act as the school system's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

SOURCE: MASC

UPDATED: June 2012

LEGAL REFS.: Title IX of the Education Amendments of 1972  
45 CFR, Part 86, (Federal Register, 6/4/75)  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
BESE 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

## **POLICY ON SEXUAL HARASSMENT**

1. It is illegal and against Town policy for any worker, male or female, to harass another worker by making unwelcome sexual advances or favors or other verbal or physical conduct of a sexual nature a condition of any worker's employment; using a worker's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or otherwise creating an intimidating, hostile, or offensive working environment by such conduct.
2. The creation of an intimidating, hostile, or offensive working environment may include but it is not limited to such actions as persistent comments on a worker's sexual preferences, the display of obscene or sexually oriented photographs or drawings, or the telling of sexual jokes. Conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory employment effect may not be viewed as harassment. The Town will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.
3. The Town will not condone any sexual harassment of its employees. All workers, including supervisors and managers, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment they commit.
4. The Town will not condone sexual harassment of its employees by non-employees, and instances of such harassment should be reported as indicated below for harassment by employees.
5. Employees who feel victimized by sexual harassment should report the harassment to their supervisor immediately. If the worker's immediate supervisor is the source of the alleged harassment, the employee should report the problem to the supervisor's superior.
6. Appointing Authorities, Department Heads and Supervisors who receive a sexual harassment complaint should carefully investigate the matter, questioning all employees who may have knowledge of either the incident in question or similar problems. The complaint, the investigative steps and findings, and disciplinary actions (if any) should be documented as thoroughly as possible.
7. Any employee who makes a complaint, or who cooperates in any way in the investigation of same, will not be subjected to any retaliation or discipline of any kind. Employees who are dissatisfied with the investigating superior's resolution of a sexual harassment complaint may file a complaint with the Affirmative Action Officer, who will investigate in the manner indicated in #6 above. The Affirmative Action Officer will recommend, to the appropriate appointing authority, actions (if any) to be taken as a result of investigative findings. The Affirmative Action Officer is located at Town Hall, 730 Massachusetts Avenue, Arlington, MA 02476 (781)316-3121.

8. Employees who feel victimized by sexual harassment may also wish to take advantage of any assistance offered by their employee organizations (if any). The Massachusetts Commission Against Discrimination and Equal Employment Opportunity Commission are also available to provide assistance. They are located at:

Massachusetts Commission Against Discrimination (MCAD)  
One Ashburton Place  
Boston, MA 02108  
(617) 727-3990

Equal Employment Opportunity Commission (EEOC)  
1 Congress Street 10th floor Rm # 1001  
Boston, MA 02114  
(617) 565-3200

Revised and updated 3/24/2016

SOURCE: Arlington

## NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

**Definition:** A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

**Reasonable Modification:** The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Communications:** The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

**Auxiliary Aids and Services:** "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

**Limits of Required Modification:** The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.



**Notice:** The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

**Compliance Coordinator:** The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school system receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

SOURCE: MASC July 2016

LEGAL REFS.: Rehabilitation Act of 1973, Section 504, as amended  
Education for All Disabled Children Act of 1975  
M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)  
Title II, Americans with Disabilities Act of 1992, as amended  
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through  
3/28/78

CROSS REFS.: [IGB](#), Support Services Programs

## **POLICY PROHIBITING HARASSMENT BASED UPON PROTECTED CLASSIFICATIONS**

The Arlington Public Schools is committed to maintaining a school environment free of harassment and discrimination based on race, color, national origin, sex, gender identity, sexual orientation, disability, age or religion. Harassment based upon these protected classifications by administrators, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is strictly prohibited. It is the goal of the Arlington Public Schools to prevent harassment through on-going and appropriate means of developing and maintaining staff and student awareness, staff training, and policy dissemination. However, should an incident of harassment occur, the school district will take prompt steps to prevent recurrence and to ensure that individuals impacted are not restricted from participating in their education or work with the Arlington Public Schools.

### DEFINITION OF HARASSMENT

In General Harassment includes unwelcome communications such as jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others based upon race, color, national origin, sex, gender identity, sexual orientation, disability, age or religion, when such communication or conduct is sufficiently serious to deny or limit the ability of an individual (1) to participate in or benefit from applicable educational programs or school sponsored-events or (2) to perform his or her duties as an employee or other participant.

By law, the particular communication or conduct is viewed from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior may reasonably be viewed as harassment by another. Therefore, prior to engaging in particular conduct, individuals are expected to consider how their words and actions might reasonably be viewed by others.

Sexual Harassment. While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.

The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.

Such conduct interferes with an individual's job duties, education or participation in extracurricular activities.

The conduct creates an intimidating, hostile or offensive work environment or school environment.

## HARASSMENT AND RETALIATION PROHIBITED

Harassment in the work place or school environment is unlawful and is absolutely prohibited. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school or at school related events. In addition, retaliation against any individual who has filed a complaint of harassment or who cooperates in an investigation of possible harassment is unlawful and is prohibited.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or school committee, subject to applicable procedural requirements.

## REPORTING HARRASSMENT

### Students:

A student who believes that he or she has been subject to harassment should report the matter to a teacher, counselor or administrator, who in turn will notify the building principal. In the alternative, a student may report the matter directly to the building Principal.

### Employees and Others:

All Arlington Public Schools employees and others in the school environment who observe or become aware of potential harassment must promptly notify the building principal or his designee. All adults in the school environment are expected to take every report of harassment seriously.

Employees or others in the school environment who believe that they have been subject to harassment should report the matter to the building principal. If an individual is not assigned to a particular school, if the individual does not wish to discuss the issue with the building principal, or if the building principal does not address the problem in an effective manner, the individual should inform an identified central office administrator, as published annually on the District's website. Any allegation of harassment by the Superintendent should be reported to the Chair of the School Committee.

## INVESTIGATIONS AND CLOSURE OF A COMPLAINT

The Arlington Public Schools will promptly investigate complaints of harassment in accordance with its Complaint Procedure found at Policy ACA-R. If the district determines that harassment has occurred, it will take appropriate action to prevent recurrence and to ensure that individuals who have been impacted are not restricted from participating in their education, work, or other activities within the Arlington Public Schools.

In certain cases, the harassment of a student may constitute child abuse under Massachusetts law. The Arlington Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse. In addition, the district will report conduct of a serious nature to law enforcement if it is determined that criminal charges may be pursued.

When an investigation has been completed, school personnel will inform the complainant of the results, subject to confidentiality requirements. For example, school officials will generally not inform the complainant of disciplinary action taken against another individual, unless it involves a stay-away order or other directive the complainant should be aware of in order to report violations. School personnel will also file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

#### STATE AND FEDERAL AGENCIES

The Arlington Public Schools urges all individuals in the school community to bring any complaints of harassment or other discrimination to the attention of school personnel so that they can address the issue as appropriate. Individuals may also make inquiries regarding the filing of a complaint with the following agencies: Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Maiden, MA 02148 (telephone 781-338-3000) (fax 781-338-3391) (TTY 1-800-439-2370); Massachusetts Commission Against Discrimination ("MCAD"), One Ashburton Place, Boston, MA 02108 (telephone 617-994-6000) (fax 617-994-6024) (TTY 617-994-6196); the United States Department of Education, Office for Civil Rights (OCR), 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109 (telephone 617-289-0111) (fax 617-289-0150) (TTY 1-800-877-8339); and the Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (telephone 1-800-669-4000) (fax 617-565-3196) (TTY 1-800-669-6820).

(Contact information above last updated in March of 2014)

Revised, voted and adopted by the Arlington School Committee, April 10, 2014

SOURCE: Arlington

**PROCEDURES FOR ADDRESSING COMPLAINTS OF DISCRIMINATION  
OR HARASSMENT BASED UPON PROTECTED CLASSIFICATIONS  
AND RELATED RETALIATION**

**I. WHERE TO FILE A COMPLAINT**

Any student, employee or other individual in the school environment who believes that he/she (1) has been subject to discrimination or harassment in the Arlington Public Schools because of his or her race, color, national origin, sex, gender identity, sexual orientation, disability, age, or religion or (2) retaliation for reporting or cooperating in an investigation of such alleged conduct may file a complaint with the building principal. If the individual is not assigned to a particular school or if the individual does not wish to discuss the issue with the building principal or the building Principal does not address the problem in an effective manner, the employee should notify an identified administrator, as published annually on the District's website. Any allegation of harassment by the Superintendent should be reported to the Chair of the School Committee. The Principal, the identified administrator, the School Committee Chair or their designees (all of whom are hereinafter referred to as the "Investigator") will be responsible for addressing the complaint in accordance with the procedures outlined below.

Process For Certain Complaints Based Upon Disability: A person who alleges discrimination on the basis of disability relative to the identification, evaluation, or educational services or placement of a student pursuant to MGL c. 71B or the Individuals with Disabilities Education Act must use the procedure outlined in the Parents' Notice of Procedural Safeguards published by the Massachusetts Department of Elementary and Secondary Education, rather than this Complaint Procedure. A copy of these Safeguards is available from the Superintendent or designee, as published annually in the District's website. A person with a complaint involving discrimination on the basis of a disability other than that described in this paragraph may use this Complaint Procedure.

**II. CONTENT OF COMPLAINT**

The Arlington Public Schools encourages individuals who experience conduct that is of concern to them based upon a protected classification to immediately report the matter, so that it can be addressed effectively and promptly. The District also asks that the individual ("Complainant") provide a written statement of the complaint. If the Complainant chooses not to submit a written statement, the Investigator will record the allegations and read them to the Complainant to confirm accuracy. The complaint should include the following information:

1. The name and school (or address and telephone number if not a student or employee) of the Complainant.
2. The name and address and telephone number of the Complainant's representative, if any.
3. The name of the person(s) alleged to have caused the discrimination or harassment ("Respondent").
4. A description, in as much detail as possible, of the alleged discrimination or harassment.
5. The date(s) of the alleged discrimination or harassment.

6. The name of all persons who have knowledge about the alleged discrimination or harassment (witnesses), as can be reasonably determined.
7. A description, in as much detail as possible, of steps the complaint believes would resolve the complaint.

### **III. INVESTIGATION**

Prior to Investigation: Even prior to completing a full investigation, if necessary, the Investigator will take immediate steps to provide for or restore an appropriate educational and/or work environment for those who may be impacted. Consideration will also be given to obligations to report instances of suspected child abuse to the Massachusetts Department of Social Services pursuant to M.G.L. c. 119, 51A or whether a report to the police may be appropriate.

Informing the Respondent: Respondents will be informed of the complaint against them as soon as the Investigator deems appropriate based upon the nature of the allegations, the investigation required, the action contemplated, and any applicable collective bargaining agreements.

Interviews and Gathering Information: The Investigator will interview witnesses whom she or he deems necessary and appropriate to determine the facts relevant to the complaint, and will gather other relevant information. Confidentiality of those involved in the complaint or investigation will be maintained, to the extent consistent with the Arlington Public Schools' obligations to investigate complaints and the due process rights of individuals affected. Where appropriate, the Investigator will remind individuals that retaliation against someone who files a complaint or who may have information about it is strictly prohibited and could result in discipline.

Determination. The Investigator will weigh all of the evidence objectively to determine whether the alleged event occurred, using a "preponderance of the evidence" standard. If the events have been established, the Investigator will also determine whether they meet the definition of harassment. However, nothing in this policy is intended to restrict the district's authority to impose discipline or take other corrective action, even absent a finding of harassment.

### **IV. RESOLUTION OF THE COMPLAINT**

If harassment is substantiated, the district will take steps reasonably calculated to prevent recurrence and to correct its effect. This may include not only discipline for the Respondent, subject to applicable procedural requirements, but also implementation of targeted or school-wide programs to increase appreciation of diversity and steps to support those impacted by the harassment.

In most instances, the Investigator will meet with the Complainant to review the information gathered and, if applicable, to discuss plans for preventing recurrence of discrimination or harassment and correcting its effect. However, any such communication is subject to the requirements of confidentiality. For example, school officials are generally prohibited from informing the Complainant of specific disciplinary action taken against another individual —unless it involves a "stay-away" or other directive that the Complainant should be aware of in order to report violations.

The Investigator will file a report with the Coordinator for Title IX/Section 504/Chapter 622 or other appropriate administrator containing the name of the Complainant, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken.

Following the closure of the complaint, the Investigator or other personnel or designee will contact the Complainant within a reasonable time period to determine whether there has been any recurrence of harassment, if appropriate.

## **V. TIME LINES AND FOLLOW-UP**

Investigators will endeavor to complete interviews and other investigatory steps within 10 school days of receiving the complaint and to communicate with the Complainant and/or representative within (10) school days thereafter, with written disposition made within ten days following that communication.

These time lines will be implemented unless the nature of the investigation or exigent circumstances prevent such implementation, in which case, the matter will be completed as quickly as practicable. If the time lines specified above are not met, the reason(s) for not meeting them must be clearly documented.

## **VI. APPEALS**

If the Complainant not satisfied with a disposition by the Investigator, the Complainant or representative may appeal the disposition to the Superintendent or designee, who can be reached as follows: [Superintendent, Arlington Public Schools, 869 Massachusetts Avenue, Arlington, MA 02476, Phone: (781) 316-3502] The Superintendent will issue a written response on the appeal to the Complainant within ten (10) school days of receiving the appeal.

Appeals regarding the disposition of allegations of harassment by the Superintendent may be appealed to the School Committee.

LEGAL REFS.: Title VI, 42 U.S.C. Sec. 2000 et seq. (prohibition of discrimination based on race, color, or national origin)  
Title IX, 20 U.S.C. Sec. 168 et seq. (prohibition of discrimination based on sex or gender)  
Title II of the Americans with Disabilities Act, 42 U.S.C. Sec. 12134 (prohibition of discrimination based on disability)  
M.G.L. 71: 37H (student handbooks required to state disciplinary measures applicable to "violations of other students' civil rights")  
M.G.L. 76:5 (prohibition of discrimination "on account of race, color, sex, gender identity, religion, national origin or sexual orientation", in access to "advantages, privileges and courses of study")  
M.G.L. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)  
M.G.L. 151B (Fair Employment Practices Act, includes prohibition of sexual harassment)

(Contact information above last updated in March of 2014)

Revised, voted and adopted by the Arlington School Committee, April 10,2014

SOURCE: Arlington



## **VISION AND OVERARCHING GOALS**

### **Introduction**

Overarching goals provide a broad vision for the school district, are strategic in nature, define the district's hopes and dreams for its students, articulate the district's top priorities, and generally are achievable within a ten-year period. Overarching goals guide the development of annual district goals developed by the Superintendent and approved each fall by the School Committee.

### **Vision for the Arlington Public Schools**

All students will achieve at their full social, emotional, creative and academic potential, and will be prepared for higher-level academics, workforce success, active citizenship and life-long learning.

### **Goal One - Student Achievement**

The Arlington Public Schools will ensure that every graduate is prepared to enter and complete a post-secondary degree program, pursue a career, and be an active citizen in an ever-changing world by offering a rigorous, comprehensive, standards-based and data-driven K-12 system of curriculum, instruction, and assessment that integrates social, emotional and wellness support.

### **Goal Two - Staff Excellence and Professional Development**

The Arlington Public Schools will recruit, hire, retain, and build the capacity of a diverse staff to be excellent teachers and administrators by providing high quality professional development aligned to needs, instructional support, coaching, and an evaluation framework that fosters continuous improvement.

### **Goal Three - Resources, Infrastructure and Educational Environment**

The Arlington Public Schools will offer a cost effective education that maximizes taxpayer dollars and utilizes best practices, academic research, and rigorous self-evaluation to provide students and staff the resources, materials and infrastructure required for optimum teaching and learning in a safe and healthy environment.

### **Goal Four - Operations, Communications and Stakeholder Engagement**

The Arlington Public Schools will be run smoothly, efficiently and professionally. The district will operate transparently and engage in effective collaboration and responsive communication with all stakeholders. It will provide timely, accurate data to support financial decision-making, envisioning of the district's future, and long-range planning in partnership with other Town officials. Through these actions it will create broad support for a high quality education system, that is the community's most valuable asset.

The goals shall be revised from time to time by the School Committee to reflect the changing strategies of the Arlington Public Schools

CROSS REF.: BDFA-E-2, District-Wide Goal Setting and Performance Objective Process  
CBI, Evaluation of the Superintendent

Adopted: September 27, 2012

SOURCE: Arlington

***Arlington Public Schools***

## **TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED**

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

SOURCE: MASC July 2016

LEGAL REF: M.G.L. [71:37H](#); [270:6](#)

CROSS REFS.: [GBED](#), Tobacco use on School Property by Staff Members Prohibited

[JCH](#), Alcohol, Tobacco and Drug Use by Students Prohibited

## **BACKGROUND CHECKS**

It shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The School Committee shall only obtain a fingerprint background check for current and prospective employees for whom the School Committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the School Committee shall review the results of the national criminal history check. The Superintendent shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to children. The School Committee, Superintendent or Principal, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the School Committee, school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be \$55.00 for school employees subject to licensure by DESE and \$35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

### **Requesting CHRI (Criminal History Record Information) checks**

Fingerprint-based CHRI checks will only be conducted as authorized by state and federal law, in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

### **Access to CHRI**

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts

Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Federal law and regulations provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

### **Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

### **Retention and Destruction of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes *only*:

- Historical reference and/or comparison with future CHRI requests,
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

### **CHRI Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the district will review and become familiar with the educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

### **Determining Suitability**

In determining an individual's suitability, the following factors will be considered: these factors may include, but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

A record of the suitability determination will be retained. The following information will be included in the determination:

- The name and date of birth of the employee or applicant;
- The date on which the school employer received the national criminal history check results; and,
- The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

### **Relying on Previous Suitability Determination.**

The school employer may obtain and may rely on a favorable suitability determination from a prior employer, if the following criteria are met:

The suitability determination was made within the last seven years; and

The individual has not resided outside of Massachusetts for any period longer than three years since the suitability determination was made; and either

The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in his or her employment for school employers; or

If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination. Upon request of another school employer, the initial school employer shall provide documentation that the individual is still deemed suitable for employment by the initial school employer.

### **Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, the district will take the following steps prior to making a final adverse determination:

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;
- Provide the individual with a copy of this CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI;
- and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances not to exceed thirty days to correct or complete the CHRI.

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4, ( 9,9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal

references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

### **Secondary Dissemination of CHRI**

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

- Subject Name;
- Subject Date of Birth;
- Date and Time of the dissemination;
- Name of the individual to whom the information was provided;
- Name of the agency for which the requestor works;
- Contact information for the requestor; and
- The specific reason for the request.

### **Reporting to Commissioner of Elementary and Secondary Education**

Pursuant to state law and regulation, if the district dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the district shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The superintendent shall notify the employee or applicant that it has made a report pursuant to the regulations to the Commissioner.

Pursuant to state law and regulation, if the district discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to regulations, the Superintendent shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the district retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to regulations to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

### **C.O.R.I. REQUIREMENTS**

It shall be the policy of the district to obtain all available Criminal Offender Record Information (CORI) from the department of criminal justice information services of prospective employee(s) or volunteer(s) of the school department including any individual who regularly provides school related transportation to children, who may have direct and unmonitored contact with children, prior to hiring the employee(s) or to accepting any person as a volunteer. State law requires that school districts obtain CORI data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The Superintendent, Principal, or their certified designees shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the department of criminal justice informational services on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

The Superintendent, Principal, or their certified designees may also have access to Criminal Offender Record Information for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with children, and shall notify them of this requirement and comply with the appropriate provisions of this policy.

Pursuant to a Department of Education regulation, “Direct and unmonitored contact with children’ means contact with students when no other employee, for whom the employer has made a suitability determination of the school or district, is present. “Contact” refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with children by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with children if he or she has only the potential for incidental unsupervised contact in commonly used areas of the school grounds.”

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, he/she may meet with the Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their designees certified to obtain information under the policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three years. CORI shall be shared with the individual to whom it pertains, pursuant to law, regulation and the following model policy, and in the event of an inaccurate report the individual should contact the department of criminal justice informational services.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent had determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law and the model policy, reserves the exclusive right concerning any employment decision.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of the employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides transportation, or volunteer who may have direct and unmonitored contact with

children. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the Superintendent prior to the periodic obtaining of their Criminal Offender Record Information.

Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with children.

LEGAL REFS.: M.G.L.6:167-178; 15D:7-8; 71:38R, 151B, 276:100A  
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)  
42 U.S.C. § 16962  
603 CMR 51.00  
803 CMR 2.00  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)  
[FBI Criminal Justice Information Services Security Policy](#)  
[Procedure for correcting a criminal record](#)  
[FAQ – Background Checks](#)

SOURCE: MASC October 2014



## **DCJIS MODEL CORI POLICY**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, and professional licensing applicants.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, the following practices and procedures will be followed.

### **CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that anew CORI check will be conducted.

### **ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

### **CORI TRAINING**

An informed review of a criminal record requires training. Accordingly. All district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

### **USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

### **VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the Applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

### **INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

### **DETERMINING SUITABILITY**

If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

### **ADVERSE DECISIONS BASED ON CORI**

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

### **SECONDARY DISSEMINATION LOGS**

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject.

Approved and Adopted by the Arlington School Committee , June 26,2014

SOURCE: MASC/Arlington

## **NUTRITION AND WELLNESS POLICY**

The Arlington Public Schools support health, nutrition and physical activity for everyone.

The "Act Relative to School Nutrition" signed into law on July 10, 2010, and the amendment to this Act passed in June, 2012, requires the Massachusetts Department of Public Health to establish standards for competitive foods and beverages sold or provided in public schools during the day. The goal of the standards is to ensure that public schools offer students food and beverage choices that will enhance learning, contribute to their healthy growth and development, and cultivate life-long healthy eating behaviors. The regulations are part of the Commonwealth's broad-based, collaborative initiative to reduce childhood obesity and prevent its complications in childhood and later in adulthood. This policy has been developed to meet the requirements and is based on the following goals:

1. Students will acquire the knowledge, skills and motivation necessary to achieve and maintain optimum health and lifelong fitness.
2. The Arlington Public School District is committed to providing school environments that promote children's health, well-being, and ability to learn by supporting healthy eating and physical activity.
3. The Arlington Public School District will offer ongoing physical activities to assess, plan, implement, promote and evaluate student and staff wellness.

Staff and administration will work to incorporate physical activity during the school day as well as promote before and after school physical activity opportunities.

The Arlington Public Schools will strive to improve the health and wellness of our school community. Healthy children are the foundation of a healthy society and through healthy diet and maintenance of healthy body weight, we can reduce chronic diseases. Healthy, active, well-nourished children are better able to learn. Eating, health, and activity habits developed in youth will affect health throughout life. Following the principles of the Dietary Guidelines for Americans, a healthy diet includes foods from all food groups with limited portions of foods high in sugar, saturated and trans fat, and salt.

### **Nutrition**

The nutrition standards and associated regulations promulgated by the Massachusetts Department of Public Health and Department of Elementary and Secondary Education apply to competitive foods and beverages sold or provided to students 30 minutes before the beginning of the school day until 30 minutes after the school day ends. Foods and beverages sold in vending machines must comply with the standards at all times.

Food Sold For Fundraising The Arlington Public Schools will allow only non-food items to be sold as part of school-sponsored fundraising activities during the school day. This mandate extends from 30 minutes before to 30 minutes after the school day. Bake sales for an election day that corresponds to a school day are exempt. Also, food sold for fundraising not for immediate consumption in school, but to take home shall be permitted.

School sponsored events to raise funds that do not take place during the school day are strongly encouraged to include healthy alternatives.

### **Healthy Classroom Parties and School Celebrations**

The Arlington Public Schools recognize that classroom parties and celebrations are tradition at school. However, with the current goals of promoting healthy eating, parents are strongly encouraged to not send in any food items to share with the class. As of September of 2013, all classroom Birthday celebrations will be food free. Until then, all foods must meet the nutrition guidelines. All other classroom parties and school celebrations that contain food must be approved by the building Principal.

### **Curriculum Based Foods**

Curriculum based food activities run by a teacher will need the teacher's approval as well as the building principal approval.

### **Nutrition Education**

The Arlington Public Schools are dedicated to providing students with the knowledge and means to make healthy food choices, healthy lifestyle, and physical activity choices. This is accomplished by increasing awareness of the benefits of eating healthy, getting the recommended amount of daily physical activity, defining nutrition and physical activity goals through an integrated approach of nutrition topics in grades K-12.

### **Students Bringing in their own Food**

Parents/Guardians may send their individual students to school with whatever food they deem appropriate. Food should not be shared.

### **Access to Water**

The Arlington Public Schools will make water available to all students during the day without charge.

### **Physical Fitness**

The Arlington Public Schools values physical activity and physical fitness.

### **Daily Recess**

All elementary school students will have daily-supervised recess, preferably outdoors, during which schools should encourage, verbally and through the provision of space and equipment, moderate to vigorous physical activity. To the extent possible, schools will endeavor to schedule recess prior to lunch since research indicates that physical activity prior to lunch can increase the nutrient intake and reduce food waste. Teachers will strive not to withhold recess or physical education as a punitive measure.

### **Physical Activity Opportunities Before and After School**

The Middle and High School will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs. The Middle and High School as appropriate will offer interscholastic sports programs and other sports programs. The Arlington Public Schools will offer a range of activities that meet the needs, interests, and abilities of all students.

### **Food Services**

The Arlington School Food Service Department will comply with all provisions of the Healthy, Hunger-Free Kids Act of 2010 as well as the Massachusetts Department of Public Health Nutrition Standards for Competitive Foods and Beverages in Public Schools. This includes the requirements for the National School Lunch and Breakfast Programs.

### **Wellness Committee**

The Arlington Public Schools Wellness Committee, established by policy in 2006, shall continue to consist of at least one parent, student, nurse, school food representative, School Committee member, school administrator, member of the public, and other community members as appropriate. The Wellness Committee will provide oversight of the policy and regulations.

### **Measurement and Evaluation**

Evaluation and measurement of progress toward the wellness goals is an integral component of the process to ensure and sustain student health, good nutrition and physical activity. Information relevant to school wellness and nutrition will be available to the School Committee and the public, except where it infringes on the right to privacy of students and staff. In particular, all contracts of the Arlington Public Schools and the School Food Service related to the sale or marketing of foods and beverages will be public information, available for inspection upon request from members of the community.

To promote steady, feasible, improvements in school meals year after year, the Superintendent or designee will provide a report to the School Committee by the first meeting in September for the previous academic year, describing the activities and financial status of the School Food Service (including sales of school meals in the free, reduced-price and full-price categories, and sales from vending machine) setting specific goals for nutrition and wellness improvements in the coming year, and summarizing the progress on the goals for the year just completed.

The Superintendent or his/her designee will provide a report to the School Committee at the end of each school year describing the implementation of this Wellness Policy. The report will include but not be limited to: information about the staff that have been assigned nutrition and wellness responsibilities, available statistics about the health and wellness status of students, progress and hurdles on implementing the wellness policy provisions, any exceptions that the Superintendent authorized to those provisions, goals and specific actions for improving nutrition and wellness in the coming school year, achievement of the goals and actions from the year just completed, and any recommendations for future revisions to the Wellness Policy itself.

- LEGAL REFS.: The Child Nutrition and WIC Reauthorization Act of 2004, section 204, P.L 108-265  
The Richard B. Russell National School Lunch Act, 42, U.S.C. 1751-1769h  
The Child Nutrition Act of 1996, 42 U.S.C. 1771-1789
- CROSS REFS.: ADC, Smoking on School Premises  
DJG, Vendor Relations  
EBBA, First Aid  
EFC, Free and Reduced-Cost Food Services  
GBGA, Staff Health  
IHAE, Physical Education  
IHAM, Health Education  
IHAMA, Teaching About Alcohol, Tobacco, and Drugs  
JLCCB, Students with Life Threatening Allergies  
KI, Public Solicitations/Advertising in District Facilities
- GENERAL REFS.: Acceptable Foods List ("A-List") by the John C. Stalker Institute of Food and Nutrition.  
At a Glance Sheet, by the Arlington Wellness Committee.  
*Healthy Students, Healthy Schools: Revised Guidance for Implementing the Massachusetts School Nutrition Standards for Competitive Foods and Beverages*, June 2012. Developed by: Massachusetts Department of Public Health, Massachusetts Department of Elementary and Secondary Education, John C. Stalker Institute of Food and Nutrition and Framingham State University, Harvard School of Public Health and Boston Public Health Commission.  
The Institute of Medicine's *Nutrition Standards for Foods in Schools* and the *Dietary Guidelines for Americans, 2010*.  
American Dietetic Association, Society for Nutrition Education, and American School Food Service Association 2003 "*Nutrition services: an essential component of comprehensive health programs.*" *Journal of the American Dietetic Association* 103:505-514.  
U.S. Department of Health and Human Services, Office of the Surgeon General. 2001. *The Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity*.  
Food and Nutrition Board, Institute of Medicine, the National Academies, 2005. *Preventing Childhood Obesity: Health in the Balance*. Jeffrey P. Koplan, Catharyn T. Liverman, Vivica I. Kraak, editors.

Revised and approved by the Arlington School Committee, January 10, 2013

SOURCE: Arlington

## NUTRITION AND WELLNESS POLICY GOALS

### **Nutrition Education**

A healthy school nutrition environment gives students consistent, reliable health information and ample opportunity to use it. A healthy school nutrition environment includes:

- A commitment to nutrition and physical activity
- Quality school meals
- Other healthful food options
- Pleasant eating experiences
- Nutrition education
- Marketing healthful foods and beverages

*The Superintendent is encouraged to inform the Arlington community at large of the nutrition and wellness goals and activities of the schools. The town leadership and community organizations are encouraged to voluntarily adopt a similar program of changes to provide a consistent message and improve the overall wellness environment for the children of Arlington.*

The Arlington Public Schools will seek to achieve the following goals:

- provide integrated classroom instruction in nutrition K-10, including nutritional knowledge, the benefits of healthy eating, essential nutrients, nutritional deficiencies, the use and misuse of dietary supplements, safe food preparation, handling and storage, and food allergies; nutrition-related skills, including, but not limited to, planning a healthy meal, understanding and using food labels, accessing and critically evaluating nutrition information, misinformation and commercial food advertising; how to assess and manage one's personal eating habits, set goals for improvement and achieve those goals; and how to communicate, make healthy decisions and advocate for developing lifelong healthy habits.
- provide ongoing professional development to staff responsible to teach nutrition including teachers, coaches, counselors, nurses, and food service staff. Information will be shared on food choices, supplements, diets, and food allergies.
- promote healthy nutrition through signage, leaflets, and positive advertising in cafeterias.
- encourage healthy food choices and prohibit the advertisement of unhealthy food choices.

### **Physical Activity**

Research indicates that physical activity has a positive impact on academic performance including improved concentration and memory, improved mathematics, reading and writing test scores, reduced stress, and reduced disruptive behavior. Physical Education provides opportunities for all students to develop the knowledge and skills for specific physical activities, to maintain physical fitness, to regularly participate in physical activity, to understand the short and long term benefits of a physically active lifestyle, and to plan for lifelong activity.

A comprehensive physical activity program encompasses opportunities for students to be physically active, including: physical education, recess, walk-to-school programs, after-school physical activity programs, and physical activity breaks within regular classrooms.

The Arlington Public Schools will seek to achieve the following goals:

- require regularly scheduled physical education in all grades for all students K-10 and offer and encourage regularly scheduled physical education for grades 11 and 12.
- assure that no less than 50% of the time scheduled in physical education class shall be moderate to vigorous activity as recommended by the Centers for Disease Control and Prevention.
- assure that physical educators participate in professional development related to their teaching assignments.
- assure that physical education classes are safe, developmentally appropriate, sequential, inclusive, and are based on national and state standards for fitness and health.
- promote a healthy physically active lifestyle by including 10 minutes of recess on days when students do not attend physical education, at the elementary level, when feasible.
- promote a healthy physically active lifestyle by encouraging schools to offer and post physical activity and athletic programs available throughout the community.
- permit high school students to have access to outdoor space adjoining or near the cafeteria at the end of their lunch period, where feasible.
- Work with families and the larger community to increase physical activity so that students can meet the guidelines, recommended by the Centers for Disease Control and Prevention, of 150 minutes per week for grades K-5, and 225 minutes per week for grades 6-12.
- Consider time for physical activity to be a priority in a child's day, just as time for academic study is a priority.

## **Health Education**

Evidence indicates that comprehensive health education programs have a positive impact on health behaviors of students, including mental health, which can lead to better school performance. (Hawkins, et al., 1999; Murphy et al., 1996; Lindmark et al., 1996; Simun, 1996; Botvin et al., 1997) Some students who have participated in school health education programs, compared to similar students who have not participated in such programs have increased cognitive development and awareness, better school attendance, higher graduation rates, increased goal setting and better application of decisionmaking skills. (U.S. Senate, 1993; Pitway Charitable Foundation, 1992; Mahai, 1991; Executive summary of the Health Protection Fund, October 1999) Substance use, violence, teen pregnancy, emotional factors, sedentary living, obesity, and stress are all related to diminished school performance. Physical activity, good nutrition, a safe and inclusive environment, mental health and prevention of depression, stress management, hygiene, and rest are important factors in enhancing students' academic performance. These studies suggest that if students are not in good health, they will not be able to learn and achieve at their highest potential.

Comprehensive health education addresses the knowledge and skills for both reducing risk behaviors and increasing actions that increase wellness.



The Arlington Public Schools will seek to achieve the following goals:

- provide a comprehensive and sequential Health Education program in grades k-10 and offer and encourage in grades 11-12, consistent with the Massachusetts Health Frameworks.
- provide teachers responsible for Health Education with professional development on health curriculum, teaching social competence, and cultural inclusion.
- research based health curricula will be incorporated.
- ensure that classroom instruction in health will engage students in active learning, including opportunities to practice skills across the curriculum.

### **Nutrition Standards for All Foods Available on School Campus during the School Day**

The Arlington Public Schools support the Dietary Guidelines for Americans. These guidelines stress variety and moderation in food choices. They encourage increased consumption of fruits and vegetables, fish, whole grains, and low-fat milk and dairy products, within the context of an overall diet that is moderate in total calories. They recommend choosing a diet with lower amounts of added sugar, saturated fat and trans fat, and salt. The 2005 revision of the Guidelines also promotes physical activity.

The Federal Government has rules for meals served through the National School Lunch Program and School Breakfast Program. The standards in this wellness policy ensure that “competitive foods,” which are foods and beverages outside of the federal programs, do not undermine the policy’s other advances in the school nutrition environment.

The Arlington Public Schools will seek to achieve the following goals:

- ensure that the school breakfast and lunch programs meet or exceed all dietary guidelines for the National School Lunch and Breakfast Programs.
- minimize the risk of exposure to food allergens that pose a threat to students, educate the community about allergies, and maintain and regularly update a system-wide protocol for responding to the needs of students with allergies.
- encourage the Food Service Director to seek to offer attractive appetizing healthy meals that are low in sugar, saturated fat, trans fat, and salt, and high in fruits, low-fat dairy, vegetables and whole grains.
- for all foods and beverages sold or provided on school property, other than the school breakfast and lunch programs, direct principals to work with school councils, school food service, teachers, and parents to encourage food and beverages choices that conform to the “Massachusetts A La Carte Food & Beverage Standards to Promote a Healthier School Environment.”<sup>1</sup> Manufactured foods that meet this standard are listed on the convenient “Acceptable List” from the John C. Stalker Institute of Food and Nutrition at Framingham State University.<sup>2</sup>
- assure that food service employees participate in annual professional development on allergies, choking, universal precautions, and hygiene and safety related to food service. A plan will be developed and implemented to certify all food service staff.
- direct principals to ensure that there is sufficient time allotted to school lunch for both eating and social interaction.

- encourage portion sizes appropriate for all age groups, including young elementary school students.
- designate a healthy snack time each day, K-5.
- encourage the use of non-food rewards for accomplishments.

- GENERAL REFS.: American Dietetic Association, Society for Nutrition Education, and American School Food Service Association. 2003. *"Nutrition services: an essential component of comprehensive health programs."* Journal of the American Dietetic Association 103:505-514.
- U.S. Department of Health and Human Services, Office of the Surgeon General. 2001. *The Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity*. Available at <http://www.surgeongeneral.gov/topics/obesity/> (accessed May, 2006). Washington, DC: U.S. Government Printing Office.
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Revised: September 26, 2006

SOURCE: Arlington

## **COMMITMENT TO ACCOMPLISHMENT**

The Arlington School Committee accepts ultimate responsibility for all facets of school operations. Because it is accountable to residents of the district, the School Committee will maintain a program of accountability consisting of the following elements:

Clear statements of expectations and purpose as these relate to operations, programs, departments, and positions.

Provisions for the staff, resources, and support necessary to achieve stated expectations and purposes, subject to financial support by residents of the district.

Evaluation of operations and instructional and staff development programs to determine how well expectations and purposes are being met.

Specific performance objectives to enable individuals to direct their own efforts to the goals and objectives of the district.

Evaluation of the efforts of employees in line with stated objectives, with the first purpose of evaluation being to help each individual make a maximum contribution to the goals of the district.

Every effort will be made by the Arlington School Committee, Superintendent, and staff to fulfill the responsibilities inherent in the concept of accountability.

SOURCE: MASC/Arlington